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5  
6 UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
7

8 JAMES K. LASSITER )

9 Plaintiff, )

10 vs. )

11 RELIANT CAPITAL SOLUTIONS, )  
LLC, a foreign )  
12 Limited-Liability Company )

13 Defendant. )

No.

JURY DEMANDED

14 COMPLAINT

15 JURISDICTION

16 1. The jurisdiction of this Court attains pursuant to the  
17 FDCPA, 15 U.S.C. § 1692k(d), 28 U.S.C. § 1331, 28 U.S.C. § 1332,  
18 and the doctrine of supplemental jurisdiction. Venue lies in the  
19 Southern Division of the Judicial District of Nevada as Plaintiff's  
20 claims arose from acts of the Defendant(s) perpetrated therein.

21 PRELIMINARY STATEMENT

22 2. This action is instituted in accordance with and to  
23 remedy Defendant's violations of the Federal Fair Debt Collection  
24 Practices Act, 15 U.S.C § 1692 et seq. (hereinafter "FDCPA"), and  
25 of related state law obligations brought as supplemental claims  
26 hereto.  
27  
28

1           3.     In 2010, Defendant initiated a campaign of abusive,  
2 unfair, unreasonable, and unlawful debt collection activity  
3 directed against Plaintiff.

4           4.     As a result of these and other violations of law,  
5 Plaintiff seeks hereby to recover actual and statutory damages  
6 together with reasonable attorney's fees and costs.

7  
8                                 PARTIES

9           5.     Plaintiff, James K. Lassiter, is a natural person who  
10 resides in Las Vegas, Nevada, and is a "consumer" as defined by 15  
11 U.S.C. Section 1692a(3) and allegedly owes a "debt" as defined by  
12 15 U.S.C. Section 1692a(5).

13           6.     Defendant, Reliant Capital Solutions, LLC (RCS) is a  
14 foreign corporation, the principal purpose of whose business is the  
15 collection of debts, operating a debt collection agency from its  
16 principal place of business in Blacklick, OH, and regularly  
17 collects or attempts to collect debts owed or due or asserted to be  
18 owed or due another, and is a "debt collector" as defined by 15  
19 U.S.C. Section 1692a(6).

20                                 FACTUAL ALLEGATIONS

21           7.     Plaintiff(s) repeat, reallege and assert all factual  
22 allegations contained in the preliminary statement to this  
23 Complaint and reassert them as incorporated in full herein.

24           8.     The alleged debt underlying this action pertains to  
25 Plaintiff's student loan.

26           9.     On or about March 19, 2010, Plaintiff called Defendant to  
27 try to work out payments.

1        10. The collector immediately treated Plaintiff severely in  
2 violation of FDCPA § 1692d.

3        11. Defendant's collector accused Plaintiff of screwing up  
4 his life and purposely quitting school as well as other personal  
5 attacks unrelated to payment.

6        12. This resulted in Plaintiff's March 25, 2010, letter  
7 recounting Defendant's awful behavior (Exhibit 1).

8        13. Exhibit 1 also explicitly advised Defendant of  
9 Plaintiff's refusal to pay.

10       14. Exhibit 1 was received by Defendant on March 29, 2010,  
11 (Exhibit 2).

12       15. Plaintiff's written refusal to pay required Defendant to  
13 cease and desist all collection communications in accordance with  
14 FDCPA § 1692c(c):

15            (c) *Ceasing communication - If a consumer*  
16            *notifies a debt collector in writing that the*  
17            *consumer refuses to pay a debt or that the*  
18            *consumer wishes the debt collector to cease*  
19            *further communication with the consumer, the*  
20            *debt collector shall not communicate further*  
21            *with the consumer with respect to such debt.*

22       16. On or about April 14, 2010, at approximately 8:30 A.M.,  
23 Plaintiff was called by Defendant's collector who identified  
24 herself as Ms. Conrad.

25       17. Conrad refused to provide her given name when politely  
26 asked.  
27  
28

1 18. Conrad demanded full payment of the underlying student  
2 loan to University of Phoenix in violation of FDCPA § 1692c(C).

3 19. The foregoing acts and omissions of Defendant were  
4 undertaken by it willfully, maliciously, and intentionally,  
5 knowingly, and/or in gross or reckless disregard of the rights of  
6 Plaintiff.

7 20. Indeed, the foregoing acts and omissions of Defendant  
8 were undertaken by it indiscriminately and persistently, as part of  
9 its regular and routine debt collection efforts, and without regard  
10 to or consideration of the identity or rights of Plaintiff.

11 21. As a proximate result of the foregoing acts and omissions  
12 of Defendant, Plaintiff has suffered actual damages and injury,  
13 including, but not limited to, stress, humiliation, mental anguish  
14 and suffering, and emotional distress, for which Plaintiff should  
15 be compensated in an amount to be proven at trial.

16 22. As a result of the foregoing acts and omissions of  
17 Defendant, and in order to punish Defendant for its outrageous and  
18 malicious conduct, as well as to deter it from committing similar  
19 acts in the future as part of its debt collection efforts,  
20 Plaintiff is entitled to recover punitive damages in an amount to  
21 be proven at trial.

22 CAUSES OF ACTION

23 COUNT I

24 23. The foregoing acts and omissions of Defendant constitute  
25 violations of the FDCPA, including, but not limited to, Sections  
26 1692c, 1692d and 1692e.

27 24. Plaintiff is entitled to recover statutory damages,  
28 actual damages, reasonable attorney's fees, and costs.

COUNT II

25. The foregoing acts and omissions constitute unreasonable debt collection practices in violation of the doctrine of Invasion of Privacy. *Kuhn v. Account Control Technology, Inc.*, 865 F. Supp. 1443, 1448-49 (D. Nev. 1994); *Pittman v. J. J. Mac Intyre Co. of Nevada, Inc.*, 969 F. Supp. 609, 613-14 (D. of Nev. 1997).

26. Plaintiff is entitled to recover actual damages as well as punitive damages in an amount to be proven at trial.

JURY DEMANDED

Plaintiff hereby demands trial by a jury on all issues so triable.

WHEREFORE, Plaintiff prays that this Honorable Court grant the following relief:

1. Award actual damages.
2. Award punitive damages.
3. Award statutory damages of \$1,000 pursuant to 15 U.S.C. § 1692k.
4. Award reasonable attorney fees.
5. Award costs.
6. Grant such other and further relief as it deems just and proper.

Respectfully submitted,

/S/ Mitchell D. Gliner  
MITCHELL D. GLINER, ESQ.  
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Las Vegas, NV 89102  
Attorney for Plaintiff

March 25, 2010

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Reliant Capital Solutions, LLC  
Payment Processing Center  
P. O. Box 30469  
Columbus, OH 43230-0469

Dear Sir:

I attach your February 9, 2010, correspondence.

Last week I had the incredible displeasure to speak with your collector who was horribly nasty and condescending. I really despise being treated like non-entity trash and I 'refuse to pay' you really horrible people any money at all. Next time try investing a little bit of humanity in your conduct.

Happy Easter.

Thank you.

Sincerely,

James Lassiter

Enclosure

**EXHIBIT /**



**Acceptable Methods of Payment:**  
Cash, Check, Money Order, Visa or MC

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature  <input checked="" type="checkbox"/> <i>Anshane Can</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p><i>Reliant Capital  Solutions, LLC  Payment Processing Center  PO Box 30469  Columbus, OH 43230 -  0469</i></p>		<p>B. Received by (Printed Name)  <i>Anshane Can</i></p> <p>C. Date of Delivery</p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service <input checked="" type="checkbox"/> <i>GAHA</i></p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>2. Article Number  (Transfer from service label)</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>7005 2570 0000 3475 9181</p>			
PS Form 3811, February 2004		Domestic Return Receipt	
		102595-02-M-1540	

EXHIBIT 2